

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FERNANDO MIRANDA
CHAVEZ,

Petitioner,

vs.

THE PEOPLE OF THE STATE
OF CALIFORNIA, et al.,

Respondents.

) C 09-3070 MMC(PR)

) **ORDER ADMINISTRATIVELY**
) **CLOSING CASE; DIRECTIONS TO**
) **CLERK**


On July 8, 2009, the instant action was opened when petitioner, a California prisoner proceeding pro se, sent to the court a habeas corpus petition. A review of the petition shows that it is identical to an earlier petition filed in this court by petitioner on June 30, 2009. See Chavez v. California, No. C 09-2927 MMC (PR). The earlier petition was transferred, by order filed July 8, 2009, to the United States District Court for the Eastern District of California, on the ground that petitioner is challenging the validity of a conviction obtained in Tehama County, which is located in the Eastern District. (Order, filed July 8, 2009, at 2:5-1.)

Accordingly, as the instant action was erroneously opened when petitioner sent a copy of his earlier petition to the court, the Clerk of the Court is hereby DIRECTED to administratively close the case and to terminate all pending motions.

Because the instant action was opened in error, no filing fee is due.

IT IS SO ORDERED.

DATED: July 17, 2009


MAXINE M. CHESNEY
United States District Judge